IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Bail Appl..No. 2593 of 2007

CC.385/2003 of J.M.F.C.,PARAPPANANGADI
.....

PETITIONER/2ND ACCUSED

MUSTHAFA, S/O.KUNJIMUHAMMED,
KOTTUMMAL HOUSE, THANALUR AMSOM DESOM,
P.O.THANALUR, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
TANUR POLICE STATION,
(CRIME NO.13/03 OF THE TANUR POLICE STATION)

BY PUBLIC PROSECUTOR SRI. BENJAMIN PAUL

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

B.A.NO.2593 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the 2nd accused in CC.No.385 of 2003 in the file of the Judicial First Class Magistrate's Court, Parappanangadi with respect to the offences under Section 447, 506(ii), 294(b) r/w. 34 of IPC has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It was submitted that he could not appear before the court as he was employed abroad.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Bail Application is disposed of accordingly.

K.R.UDAYABHANU.
JUDGE.

kvs/-